

STATE OF INDIANA

\_\_\_\_\_ COURT

In the Matter Of:

Case No.

\_\_\_\_\_  
A Child In Need Of Services

**ORDER APPROVING PERMANENCY PLAN**

The State of Indiana appears by \_\_\_\_\_, Attorney for Indiana Department of Child Services (DCS). The child, \_\_\_\_\_, appears in person (is excluded for good cause shown upon the record). The parent(s) \_\_\_\_\_ appear in person [and by counsel]. The (guardian ad litem) (CASA) \_\_\_\_\_ appear in person. Also, (Case Manager), \_\_\_\_\_ appears.

This case is timely submitted and evidence heard on the proposed Permanency Plan filed by DCS.

The Court now incorporates the findings of reasonable efforts as set forth in the pleadings and papers of DCS for this hearing and further finds:

1. The child was born on \_\_\_\_\_, and is currently \_\_\_\_ years old.
2. The child was adjudicated a Child in Need of Services on \_\_\_\_\_.
3. The Court entered a Dispositional Order on \_\_\_\_\_.
4. That notification of the Permanency Hearing was properly served on all required persons pursuant to I.C. 31-35-2-6.5 or in the alternative, notice was waived.
5. The child is currently in placement in (the parent's home)(in foster care)(in pre-adoptive placement)(in relative placement) (other: \_\_\_\_\_) and has resided at said location for approximately \_\_\_\_\_ (months)(years).
6. The child is progressing well in said placement.
7. DCS has provided the following services:
  - ☐ referrals for in-home based services for \_\_\_\_\_
  - ☐ participation in counseling sessions for \_\_\_\_\_
  - ☐ participation in parenting classes for \_\_\_\_\_
  - ☐ participation in substance abuse counseling for \_\_\_\_\_
  - ☐ participation in anger management class for \_\_\_\_\_
  - ☐ random urinalysis for \_\_\_\_\_
  - ☐ supervised visitation for \_\_\_\_\_
  - ☐ psycho-social assessment in order to determine needs for \_\_\_\_\_
  - ☐ other: \_\_\_\_\_
8. \_\_\_\_\_ (parent/guardian/custodian):
  - ☐ is/is not in compliance with the plan as follows:  
\_\_\_\_\_

9. \_\_\_\_\_ (parent/guardian/custodian):  
[ ] is/is not in compliance with the plan as follows:  
\_\_\_\_\_
10. A case conference and/or family team meeting was held at the offices of DCS on \_\_\_\_\_ to discuss the implementation of a permanency plan for the child. Parent[s]/Guardian[s]/Custodian[s]) appeared/failed to appear at the conference. Permanency planning options were discussed regarding the least restrictive alternatives and the court considered all appropriate recommendations in this cause, and consulted with the child in person, or through (interview)(the written statement/report of (CASA) (GAL) (FCM) (person with whom the child is living).
11. Of the permanency planning options available, the Court finds it is most appropriate and consistent with the best interest of the child to:  
[ ] return to or continue in the child's existing custodial care with: \_\_\_\_\_ (indicate the relationship to the child).  
[ ] initiate a proceeding to terminate the parent-child relationship;  
[ ] be placed for adoption;  
[ ] for the child to be placed with \_\_\_\_\_, who is able and willing to act as the child's permanent custodian and carry out the out the responsibilities of the permanency plan;  
[ ] for the child to have a legal guardian appointed;  
[ ] for the child to be placed in another planned, permanent living arrangement with: \_\_\_\_\_. The compelling reason for this living arrangement is \_\_\_\_\_.
12. Based on the foregoing findings the court concludes that DCS has made reasonable efforts to finalize a permanency plan.
13. The procedural safeguards used by DCS to protect parental rights have been examined by the Court and are found to be sufficient.

*[There is a rebuttable presumption that jurisdiction over the child in a child in need of services proceeding continues for not longer than twelve (12) months after the date of the original dispositional decree or twelve (12) months after the child in need of services was removed from the child's parent, guardian, or custodian, whichever occurs first. The state may rebut the presumption and show that jurisdiction should continue by proving that the objectives of the dispositional decree have not been accomplished, that a continuation of the decree with or without any modifications is necessary, and that it is in the child's best interests for the court to maintain its jurisdiction over the child. If the department does not sustain its burden for continued jurisdiction, the court shall:*

*(1) direct the department to establish a permanency plan within thirty (30) days; or*

*(2) discharge the child and the child's parent, guardian, or custodian.  
The court may retain jurisdiction to the extent necessary to carry out any orders.]*

14. ☐ Jurisdiction of this court shall continue in that the objectives of the Dispositional Decree have not yet been accomplished and continuance of the Decree with or without modification is necessary and it is in the child's best interest for the court to maintain jurisdiction over the child.

-OR-

☐ Having considered all appropriate recommendations in this cause, jurisdiction of this court shall not continue.

IT IS ORDERED THAT:

The child's case plan, services, and placement meet the special needs and best interests of the child.

The permanency plan for the child of:

- ☐ reunification
- ☐ adoption
- ☐ emancipation
- ☐ appointment of a guardian
- ☐ a planned alternate living arrangement
- ☐ termination of the parent-child relationship
- ☐ placement with a relative as a permanent custodian

(is hereby) (continues to be) approved by the court.

The projected date for finalization of the child's permanency plan is \_\_\_\_\_ (date).

DCS has responsibility for placement and care of the child.

☐ *(If the child is removed by this order)* It is in the best interest of the child to be removed from the home environment and continuation of residence in the home of the parent/guardian would be contrary to the health and welfare of the child because *[the Court must make specific findings here]* \_\_\_\_\_.

Reasonable efforts (were) (were not) made to (prevent the child's removal from) (to reunite the child) with the child's parent, guardian, or custodian. Family services offered or provided:

\_\_\_\_\_  
\_\_\_\_\_;

☐ *(if the child has been removed)* The legal settlement of the child is \_\_\_\_\_ and DCS shall provide notice required by I.C. 20-26-11-9.

☐ A separate Financial Obligation Order is being issued.

Revised:

[ ] (*Use only if the placement ordered is not in the State of Indiana and not recommended by DCS*) The Court finds by clear and convincing evidence that out of state placement is appropriate because:

[ ] there is not a comparable facility with adequate services located in Indiana based on the following findings: \_\_\_\_\_.

[ ] the location of the home or facility is \_\_\_\_\_ and is within a distance not greater than fifty (50) miles from the county of the residence of the child which is \_\_\_\_\_.

[ ] A copy of this order is to be distributed to DCS.

This case is set for review of implementation of the permanency plan on \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ a.m/p.m.

**SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Judge

Distribution: